

Grand Jury Final Report

January Term, 2002

To

The Honorable Steve R. Dozier, Judge

Criminal Court Division One

Davidson County, Tennessee

We have served as the Grand Jury for the Criminal Court of Davidson County, Tennessee during the January Term of 2002. We are grateful for the opportunity to contribute to the judicial system. It has been an honor to serve your court and the community in which we live.

During our term, we handled over 600 cases.

- Over 65% were drug/alcohol related
- Of burglary, property if recovered, was most often found in pawn shops
- Most indictments were repeat offenders

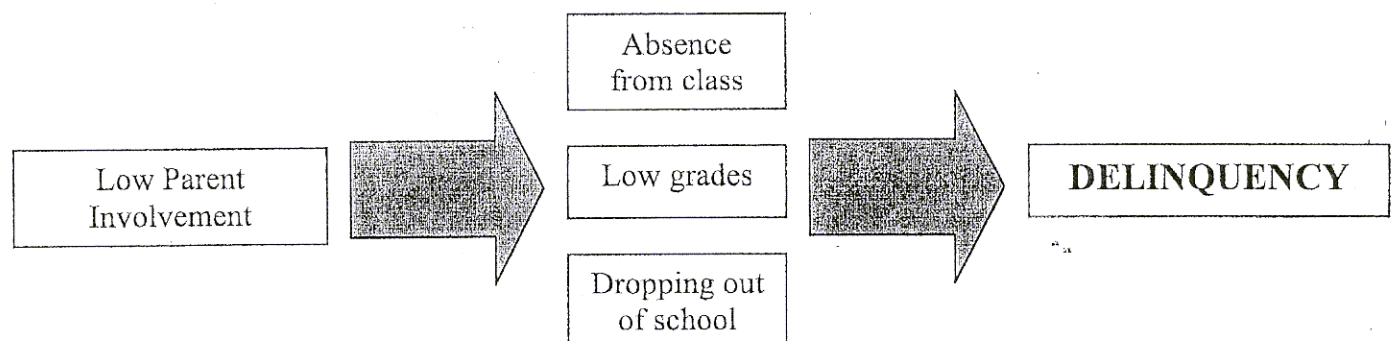
Police officers presented the majority of the cases that we heard. Generally, the officers impressed us with their hardworking and concerned attitude. They were energetic and enthusiastic about their duties. We now genuinely understand the danger and difficulties officers face when fighting crime, and commend them for their dedication to the Davidson county community.

Suggestions for Improvement

Juveniles:

In many of the cases we heard dealing with drugs, burglary, and robbery, the defendants were fairly young, in their teens or twenties. These juveniles and young adults have an already

experienced life of crime and their records continue to lengthen; yet there are few preventative measures taken to insure an end to the growing problem of juvenile delinquency. Much research has shown that delinquency is related to academic failure, absenteeism, and dropping out of high school (Ekstrom, Goertz, Pollack, & Rock, 1986; Gottfredson, 1988; Voelkl, Welte, and Wieczorek, 1999). Voelkl, Welte, and Wieczorek (1999) examined the relationship between adolescent delinquency and negative school experiences (e.g., poor academic performance, low class attendance, and dropping out) for African American and White male students. Results from this study showed African American male students who skipped class, had lower grades, or had dropped out of school had higher serious delinquent behavior; white male students with low class attendance had higher serious delinquent behavior. Bottom line—students not interested in school or not physically present at school have the opportunity and the likelihood to be involved in delinquent behavior. In related research, many studies have found that parental involvement in education benefits children's learning and school success (Eccles & Harold, 1993; Hoover-Dempsey & Sandler, 1997); specifically, that parental involvement in homework and a partnership relationship between the parent(s) and the school may be related to academic achievement (Hoover-Dempsey, Battiato, Walker, Reed, DeJong, & Jones, 2001; Reed, 2000). The flow chart below portrays these research-based ideas discussed above:



Theoretically, if the parent is not involved in the adolescent's life, then the adolescent has a greater chance of low achievement and attendance at school, and a greater chance of

delinquency. Statistics for 2001 from the Juvenile Justice Center support this idea when considering 71% of the juveniles there have parents with substance abuse issues, 67% of the juveniles had little or no relationship with their fathers, and 57% of the juveniles have parents who are or have been incarcerated. These parents were not involved enough in their child's education or life for that matter, resulting in their child's delinquency. We suggest that more emphasis be placed in parent education and parental involvement with the Juvenile Justice Center and with the school their juvenile is or was attending. By encouraging a partnership relationship between the parent and the school, and the parent and the Justice Center, there is a lesser chance of delinquency in the juvenile's future.

Drug crimes:

Many of the cases we heard dealt with drugs and weapons; within this group, many were repeat offenders. We were astonished at the number of individuals who were arrested for the same crimes multiple times. It is extremely easy for these criminals to make bond and plea bargain with the DA, getting them back to their corrupt lifestyle of dealing drugs and having weapons, not missing a beat. We suggest that a specialized court system, similar to DUI court, be introduced to deal only with drug cases. Police officers are doing everything they can to catch drug dealers and drug users, but the system is not set up to stop these criminals from doing it again. The cycle of arrest, minimal jail time, plea bargain, arrest, etc. needs to be broken, possibly by instating a stronger penalty for charges such as drug possession and felon in possession of a weapon.

Juvenile Justice Center:

We enjoyed our visit to the Juvenile Justice Center and appreciated the additional information packets we received. However, the working environment there deeply concerned us. In 1998 and 2000, grand jury final reports stressed their concerns regarding the lack of space and

storage in the facility, yet the situation has not changed. Comments from the 1998 report (e.g., “the lack of space has necessitated warrant officers having their office space in the Court’s boiler room”) and from the 2000 report (e.g., “not only are employees housed next to furnaces, storage of records is posing a fire hazard”) coincide with this grand jury’s agitation. More space is absolutely necessary at this facility. Some possibilities of freeing up space include electronically storing files or storing files off-site.

Strengths

Site visit to the Police Training Academy:

Our visit to the training academy was a very positive and informational experience. We toured the facilities, observed some canine training techniques, and participated in the computerized “shoot/don’t shoot” video training. We strongly believe that the canine unit is a necessary tool in aiding police officers, and recommend that the canine unit be increased if possible.

Site visit to River Bend Maximum Security Prison:

We were pleasantly surprised by the cleanliness and orderliness of the facilities. The prison was well maintained and the ABC disciplinary system seemed to work well. We appreciated the educational opportunities available to prisoners, including a GED course, but also believe these prisoners should be offered more job skill classes.

Laptop computers in patrol cars:

Over the course of our term, we asked police officers at random about the laptop computer in their patrol car. Every officer we asked responded with positive comments regarding the computers. The computers are an immense help to officers and allow them to receive information without delay.

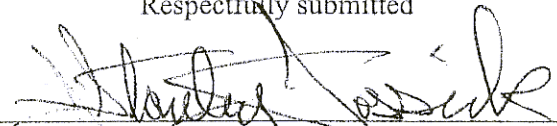
Pawn shops:

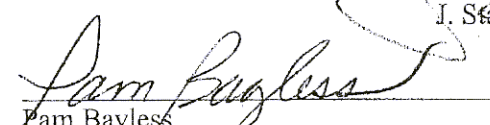
In many of the robbery cases, in which stolen items were retrieved, pawn shop records were also available. These records are crucial evidence in robbery cases. We applaud those pawn shops who are working with the police department, and would like to see a bill formed requiring all pawn shops to electronically register all items with the police department.

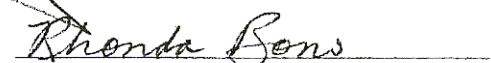
Other Comments

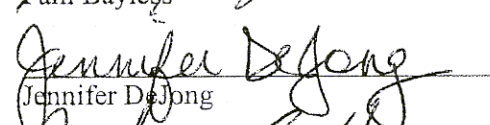
Serving on the Davidson County Grand Jury has been an educational and fascinating experience. We have learned a great deal the past three months and encourage anyone called to this duty to receive it with open arms.

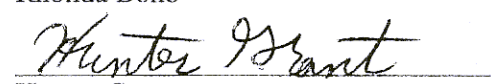
Respectfully submitted

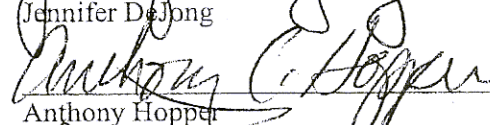

J. Stanley Fossick, Foreman

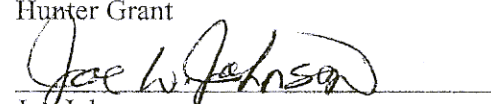

Pam Bayless

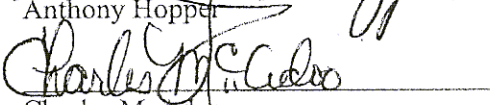

Rhonda Bono

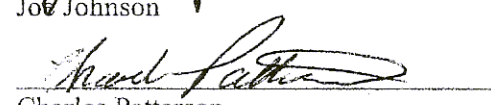

Jennifer DeJong

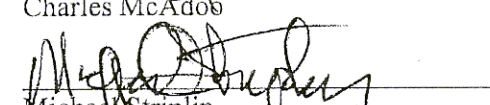

Hunter Grant

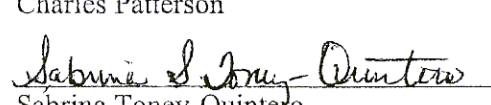

Anthony Hopper

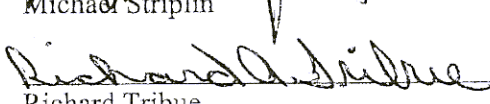

Joe Johnson

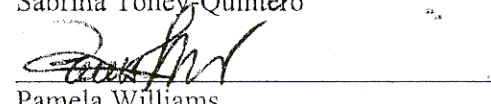

Charles McAdoe


Charles Patterson


Michael Striplin


Sabrina Toney-Quintero


Richard Tribue


Pamela Williams

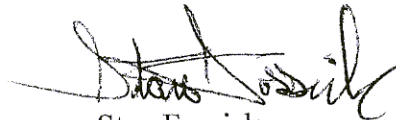
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March 19, 2002

The Grand Jurors of Davidson County, Tennessee, duly impaneled and sworn, upon their oath, present that on March 19, 2002, they heard testimony from Detective Mike Smith with regard to the use of deadly force by Robert Gersham against Jerome D. Buchanan on December 15, 2001, and have determined that such use of deadly force was justified in this case.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan Fossick", with a stylized flourish extending from the end.

Stan Fossick
Grand Jury Foreman